

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 07/25/2013
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA
:
-v.-
:
BRYAN ZURIFF,
:
Defendant.
:
- - - - - x

CONSENT PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT
13 Cr. 268 (JMF)

WHEREAS, on or about April 11, 2013, BRYAN ZURIFF (the "defendant"), was charged in a twenty-seven-count Indictment, 13 Cr. 268 (JMF) (the "Indictment") with illegal gambling, in violation of 18 U.S.C. §§ 1955 and 2 (Count Nine); and acceptance of financial instruments for unlawful internet gambling, in violation of 31 U.S.C. §§ 5363 and 5366, and 18 U.S.C. § 2 (Count Eleven);

WHEREAS, on or about July 25, 2013, the defendant pled guilty to Count Eleven of the Indictment, pursuant to a plea agreement with the Government wherein he agreed (i) to forfeit a sum of money equal to \$500,000.00 in United States currency, representing property constituting or derived from proceeds obtained directly or indirectly as a result of the offense charged in Count Eleven (the "Money Judgment"), and (ii) to make a payment of \$500,000.00 in United States currency in satisfaction of the Money Judgment by the time of sentencing; and

WHEREAS, the defendant consents to the imposition of a money judgment in the amount of \$500,000.00 in United States currency, representing property constituting or derived from proceeds obtained directly or indirectly as a result of the offense charged in Count Eleven and further agrees to make a payment of \$500,000.00 in United States currency in satisfaction of the Money Judgment by the time of sentencing;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney, Preet Bharara, United States Attorney, Assistant United States Attorney Joshua A. Naftalis, of counsel, and the defendant, and his counsel, Charles Clayman and Isabelle Kirshner, Esqs. that:

1. As a result of the offense charged in Count Eleven of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$500,000.00 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, this Order is final as to the defendant, BRYAN ZURIFF, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Payment on the Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007, and shall indicate the defendant's name and case number. Payment shall be received by the sentencing date.

4. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

8. The signature page of this Order may be executed in one or more counterparts, each of which will be deemed an

original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA

United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: 

JOSHUA A. NAFTALIS
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2310

7/25/13
DATE

BRYAN ZURIFF, DEFENDANT

By: 

BRYAN ZURIFF

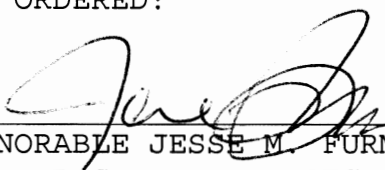
7/24/13
DATE

By: 

CHARLES CLAYMAN, ESQ.
ISABELLE KIRSHNER, ESQ.
Clayman & Rosenberg LLP
305 Madison Ave., Suite 1301
New York, NY 10165
T: (212) 922-1080

7/24/13
DATE

SO ORDERED:


HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE

7/25/13
DATE